

COMMENTS

The enclosed is responsive to the Examiner's Office Action mailed on July 21, 2009. At the time the Examiner mailed the Office Action claims 1-6 were pending. By way of the present response the Applicant has: 1) amended claim 1; 2) added new claims 37-48; and 3) has not canceled any claims. AS such claims 1-6 and 37-48 are now pending. The Applicant respectfully requests reconsideration of the present application and the allowance of claims 1-6 and 37-48.

Rejections under 35 U.S.C. § 102

Independent claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 2002/0093985 (hereinafter, "Nimmagadda"). Independent claim 1 recites (emphasis added):

A method, comprising:
executing a service selection method on an off load processor of a laptop/notebook computing system that is capable of communicating with a handheld device to dynamically select an available network service for handling traffic sent to/from said handheld device, said executing being performed while a main CPU of said computing system is in a low power state.

The Applicant respectfully submits that Nimmagadda fails to disclose at least the above emphasized claim limitations. The Examiner's basis of rejection rests primarily on the teachings of Figure 6 of Nimmagadda which appears to describe a method of operation for customer premise equipment of an ADSL connection, where, the method includes selection of a low speed, low power mode.

Notably, there is absolutely no disclosure of an "off load processor" in the customer premise equipment of Nimmagadda. Moreover, there is no disclosure that a service selection method is executed while a main CPU of the customer premise equipment is in a

low power state. Thus, Nimmagadda fails to meet numerous limitations of independent claim 1 and therefore cannot possibly anticipate it. Therefore the Applicant respectfully submits independent claim 1 is patentable over Nimmagadda and respectfully requests the removal of the Examiner's rejection. The end of paragraph [0055] of Nimmagadda might suggest a computer (ADSL device) that selects a service for a handheld device. However, the Applicant respectfully submits that alone is insufficient to meet all of the limitations of claim 1.

Independent claim 1 has been amended to more clearly recite the subject matter originally intended to be claimed.

In light of the comments above, the Applicant respectfully requests the allowance of all claims.

CONCLUSION

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of this application, the Examiner is invited to contact Robert B. O'Rourke at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 11/23/09



Robert B. O'Rourke
Reg. No. 46,972

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(408) 720-8300